

United States Bankruptcy Court for the District of New Jersey	
Caption in Compliance with D.N.J. LBR 9004-l(b)	
Peter E. Meltzer, Esquire Identification No. 047241995 Weber Gallagher Simpson Stapleton Fires & Newby, LLP 2000 Market Street, 13 th Floor Philadelphia, PA 19103 Phone No.: 267-295-3363 Fax No.: 215-564-7699 Attorneys for BB&T	
In Re: ERIC GANDY Debtor	Case No.: 18-21813-ABA Hearing Date: October 2, 2018 at 10 AM Judge: Andrew B. Altenburg, Jr. Chapter: 13

NOTICE OF MOTION FOR RELIEF FROM AUTOMATIC STAY

PLEASE TAKE NOTICE that on October 2, 2018, at 10:00 AM or as soon as counsel may be heard, the undersigned attorney for the secured creditor will move before the United States Bankruptcy Court located at Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, Fourth Floor, Courtroom 4B, Camden, New Jersey 08101 for an Order Vacating the Automatic Stay with respect to that certain 2010 Jeep Wagon, VIN 1J4HA5G16AL140896.

PLEASE TAKE FURTHER NOTE, that in support of the within Motion, the Movant will rely upon the Certification in Support and the proposed Order submitted herewith, as well as, oral arguments, if necessary. Pursuant to D.N.J. LBR 9013-2, Movant states that no brief or memorandum of law is necessary because of the absence of novel or complex questions of law. However, if responsive papers are filed in opposition to the Motion, the Movant reserves the right to respond to any issues of law raised herein in the form of a brief or a memorandum of law.

Dated: August 21, 2018

/s/Peter E. Meltzer

Peter E. Meltzer, Esquire

Weber Gallagher Simpson Stapleton Fires & Newby LLP

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In Re:

ERIC GANDY

Debtor

Case No.: 18-21813-ABA
Hearing Date: October 2, 2018 at 10 AM
Judge: Andrew B. Altenburg, Jr.
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Recommended Local Form: ☐ Followed ☒ Modified

ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

The relief set forth on the following pages is hereby **ORDERED**:

That, pursuant to Section 362(d)(1) of the Bankruptcy Code, the automatic stay of Bankruptcy Code Section 362(a) is terminated so as to permit Movant to repossess and sell that certain 2010 Jeep Wagon, VIN 1J4HA5G16AL140896.

FURTHER ORDERED that Rule 4001(a)(3) should not be applicable to this Order and Movant should be allowed to immediately enforce and implement this Order.

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In Re:	Case No.: 18-21813-ABA
ERIC GANDY	Hearing Date: October 2, 2018 at 10 AM
Debtor	Judge: Andrew B. Altenburg, Jr.
	Chapter: 13

**CERTIFICATION IN SUPPORT OF
MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

I, Allen Gilchrist, certify as follows:

1. I am a Bankruptcy Specialist with Branch Bank and Trust Company (“Movant”) and am authorized to sign this certification on behalf of Movant. In this position, I am familiar with the facts of this case, have access to the business records of Movant, and am able to verify amounts due as to delinquent bankruptcy accounts.
2. The facts stated in this Certification are based upon information that I obtained by reviewing records maintained in the ordinary course of Movant’s business, as part of a regularly conducted business activity, by or from information transmitted by person(s) with knowledge of the events described therein, at or near the time of the event described.
3. On or about July 22, 2015, Susquehanna Bank, the predecessor-in-interest to Movant, Movant made available to Debtor and Debra Gandy the sum of \$15,000.00 in accordance with the terms and conditions of a certain Note dated the same date (the “Note”).

4. The Note is secured by Movant's first lien position on a 2010 Jeep Wagon, VIN 1J4HA5G16AL140896. (the "Vehicle").
5. The Vehicle is owned by Debtor.
6. The Debtor has made no postpetition payments and the Note in any event matured on July 21, 2018, meaning that the full balance as set forth in the Proof Claim filed by Movant is now due and owing.
7. In view of the foregoing, cause exists to lift the automatic under Section 362(d)(1) of the Bankruptcy Code so that Movant may commence the exercise of its rights and remedies under the loan documents.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signature: /s/Allen Gilchrist
Print Name: Allen Gilchrist
Title: Bankruptcy Specialist
Branch Bank and Trust Company

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**CERTIFICATION OF CREDITOR REGARDING POST-PETITION PAYMENT
HISTORY ON VEHICLE LOAN/LEASE**

I, Allen Gilchrist, am employed by Branch Banking & Trust Company ("BB&T") and am authorized to sign this certification on behalf of BB&T and I hereby certify as follows:

Vehicle lender/lessor: BB&T

Vehicle description: 2010 Jeep Wagon, VIN 1J4HA5G16AL140896

POST PETITION PAYMENTS (Petition filed 6/11/18): Debtor has made no post-petition payments. In addition, the loan matured on July 21, 2018, so that the entire balance of \$12,524.01 (as set forth in the Proof of Claim) is now due and owing plus accruing interest and fees and costs.

Pre-petition arrears: See proof of claim

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signature: /s/Allen Gilchrist
Print Name: Allen Gilchrist
Title: Bankruptcy Specialist
Branch Banking & Trust Company

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**CERTIFICATION OF PARTICIPANT
REGARDING MOTION FOR RELIEF**

I HEREBY CERTIFY that with respect to the copy of the captioned Motion for Relief submitted to the Court, the following conditions have been met:

- (a) The Affiant has acknowledged the genuineness of the original signature;
- (b) The original document was executed in completed form prior to facsimile transmission;
- (c) The document or a copy with an original signature affixed to it will be obtained by the Participant within seven business days after the date the document or pleading with the facsimile signature was electronically filed with the Court; and
- (d) In accordance with the Court's *Administrative Procedures for Filing, Signing, and Verifying Documents by Electronic Means* (collectively, the "Administrative Procedures"), at paragraph II C.2, the document containing the original signature will be maintained in paper form by the Participant for a period not less than seven years from the date of closure of the case or proceeding in which the document is filed; and that upon required the original document must be provided to other parties or the Court for review.

/s/Peter E. Meltzer

Peter E. Meltzer, Esquire

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CERTIFICATION OF SERVICE

1. I, Peter E. Meltzer:

☐ represent the _____ in the above-captioned matter.

☒ am the attorney for Branch Banking & Trust Company in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On September 5, 2018, I sent a copy of the following pleadings and/or documents to the parties listed below:

Motion for Relief along with Notice of Motion, Certification of Participation, Certification of Creditor and Certification of Service

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: September 5, 2018

/s/ Peter E. Meltzer
Peter E. Meltzer

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Eric N. Gandy 40 Madison Lane Sicklerville, NJ 08081	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Andrew B. Finberg Law Offices of Andrew B. Finberg, LLC 525 Route 73 South, Suite 200 Marlton, NJ 08053	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
ISABEL C. BALBOA, TRUSTEE 535 ROUTE 38 - SUITE 580 CHERRY HILL, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input checked="" type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.

Dated: September 5, 2018

/s/Peter E. Meltzer

Peter E. Meltzer, Esquire

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